

The Provincial Statutes of Lower-Canada, Being the third session of the thirteenth Provincial Parliament of Lower-Canada. Quebec: P. E. Desbarats, Printer to the King's Most Excellent Majesty, 1830.

10 & 11 George IV – Chapter 26

An Act to repeal so much of the Ordinance of the Twenty-seventh George the Third, chapter four, intituled, "An Ordinance to continue in force for a limited time, an Ordinance made in the Twenty-fifth year of His Majesty's Reign, intituled, 'An Ordinance to regulate the proceedings in the Courts of Civil Judicature, and to establish Trials by Juries in Actions of a Commercial nature and Personal wrongs to be compensated in damages,' with such additional regulations as are expedient and necessary," as requires that Writs of Attachment be indorsed. (26th March, 1830.)

Whereas the provisions of a certain Ordinance, made and passed in the Twenty-seventh Year of the Reign of His late Majesty, chapter four, intituled, "An Ordinance to continue in force for a limited time, an Ordinance made in the Twenty-fifth Year of His Majesty's Reign, intituled, 'An Ordinance to regulate the proceedings in the Courts of Civil Judicature, and to establish Trials by Juries in actions of a Commercial nature and personal wrongs to be compensated in damages,' with such additional regulations as are expedient and necessary," requiring that certain Writs of Attachment be indorsed have been found inexpedient; Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Lower Canada, constituted and assembled by virtue of, and under the authority of an Act passed in the Parliament of Great Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, intituled, 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America,' and to make further provision for the Government of the said Province;" and it is hereby enacted by the authority of the same, that so much of an Ordinance made and passed in the Twenty-seventh year of the Reign of His late Majesty George the Third, intituled, "An Ordinance to continue in force for a limited time, an Ordinance made in the Twenty-fifth Year of His Majesty's Reign, intituled, 'An Ordinance to regulate the proceedings in the Courts of Civil Judicature, and to establish Trials by Juries in Actions of a Commercial nature and personal wrongs, to be compensated in damages,' with such additional regulations as are expedient and necessary," as requires that due proof to the satisfaction of one of the Judges of the Court issuing the same, that the Defendant or Proprietor of the said debts, and effects is indebted to the Plaintiff, in a sum exceeding ten pounds, and is about to secrete the same, or doth abscond, or doth suddenly intend to depart from the Province, with an intent to defraud his Creditor or Creditors, and that the Defendant is then indebted to the Plaintiff, and he doth verily believe, that he shall lose his debt, or sustain damage without the benefit of such Attachment, be indorsed on such Writ, shall be, and the same is hereby repealed. Provided always, that the sum or sums of money specified in the Affidavit upon which such Writ or Process shall issue, and also the name of the person, upon whose Affidavit such Writ or Process shall have been obtained, shall be indorsed on such Writ or Process, for which sum or sums so indorsed, with the

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amount of the costs to be taxed, together with the interest to accrue, the Sheriff or other Officer to whom such Writ shall be directed, shall take bail, and for no more.